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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/748,669

Confirmation No.: 2780

In re Application of

Donald C. WOOD et al.

Group Art Unit: 3711

Filed: December 31, 2003

Examiner: Stephen Luther Blau

For: GOLF CLUB LENGTH FITTING SYSTEM

RESPONSE TO RESTRICTION  
AND ELECTION OF SPECIES REQUIREMENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed November 19, 2004, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-6) in this application.

Applicants also hereby provisionally elect, with traverse, Species 2, Fig. 2B, for initial examination in this application. Claims 1 and 3-6 read on the elected species. Claim 1 is generic to both species identified in the Office Action.

However, applicants respectfully traverse the restriction requirement and election of species requirement since the subject matter of all of claims 1-6 is so related that a thorough and complete search for the subject matter of the elected Group I claims and Species 2, Fig. 2B, should encompass a thorough and complete search for the subject matter of the non-elected claims. Indeed, claim 4 which is most specific to Fig. 2B is dependent upon generic claim 1. Search and examination of the entire application could be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicants and duplicative examination by the Patent Office.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

December 20, 2004  
Date

  
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